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United States.
Report of the Committee of
Claims, on the resolutions
of the House of
1814.

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REPORT

OF

THE COMMITTEE OF CLAIMS,

ON THE

RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES

OF

THE 14th AND 25th OF NOVEMBER LAST,

RELATIVE TO THE

PAYMENT FOR HORSES LOST OR DESTROYED

IN

THE PUBLIC SERVICE.

DECEMBER 5, 1814.

Read, and referred to the committee of the whole house on the bill to authorize the payment for property lost, captured or destroyed by the enemy, while in the public service of the United States.

WASHINGTON:

A. & G. WAY, PRINTERS.

.....
1814.

REPORT.

THE committee of claims, to whom was referred the resolutions of the house of representatives of the 14th and 25th of November last, directing them to inquire into the expediency of paying for the horses lost by the mounted volunteers who served under governor Shelby in the expedition against Canada in the fall of 1813, and of the horses lost or destroyed in the campaign against the hostile Creek Indians, under command of major general Andrew Jackson,

REPORT....

THAT from statements made to the committee, the correctness of which they cannot doubt, it appears that at the time the American troops crossed over lake Erie, just before the battle of the Thames, the mounted volunteers were ordered by the commanding general to leave their horses at Portage river, on the lake, with a guard and other persons sufficient to take care of them. The horses were put in a large wood, inclosed for the purpose of keeping them safe, and it was intended and expected that they should live by grazing until the return of the troops. The troops were absent about five weeks, and upon their return, the horses were found to be reduced in order, many of them injured, and some dead. It does not satisfactorily appear whether they died for the want of forage, or from accident, or the peculiar difficulty and hardship of the service: if their loss was to be ascribed to the former, then the committee have heretofore reported to the house a bill which it is believed will include their case. If the horses died, or were lost

or destroyed by accident or labor, then it is conceived that the United States are not liable.

By an act of congress, passed the 2d day of January, 1795, it is enacted "that in addition to the monthly pay, there shall be allowed to each officer, non-commissioned officer, musician and private of the cavalry, for the use of his horse, arms and accoutrements, and *for the risk thereof*, except of horses killed in action, forty cents per day, and to each non-commissioned officer, musician and private, twenty-five cents per day in lieu of rations and forage, when they shall provide the same."

Mounted volunteers it is believed are entitled to and receive the same pay as cavalry. By the above section of the act of congress, they received "*for the use of the horse, arms and accoutrements, and for the risk thereof, except of horses killed in battle, forty cents*," which the committee are of opinion was intended and is a full compensation: they are therefore of opinion, that for the loss or destruction of horses, except in battle, the United States are not liable.

They however think that when horses have died while in the public service for want of forage, when it was the duty of the government to furnish it, the owners ought to be paid their value, and they have accordingly reported a bill to the house for that purpose.

With respect to the horses lost or destroyed by the troops under major general Jackson, it is stated to the committee that they were lost by accident or surprise, while in the several battles with the Creek Indians. The committee entertain the same opinion of these claims that they do of the others. They therefore recommend to the house the following resolution:

Resolved, That it is inexpedient to authorize payment for the horses aforesaid, otherwise than according to the provisions of a bill already reported to the house for that purpose.



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